

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
UNITED STATES OF AMERICA)	
)	Case No. 04-CR-10298-DPW
)	
v.)	
)	
MARKO BOSKIC)	
_____)	

**DEFENDANT'S MOTION IN LIMINE TO EXCLUDE THE PHOTOGRAPHS
TAKEN IN 2005 BY FBI AGENT DAVID HABICH**

Defendant Marko Boskic hereby moves to exclude the photographs taken by FBI agent David Habich during the prosecution team's trip to Bosnia in 2005, pursuant to Fed. R. Evid. 403. In support of this motion, defendant states:

1. On June 8, 2006, defense counsel received 75 photographs taken during the prosecution team's visit to Bosnia in June 2005. The photographs depict "the route taken by captured prisoners from Srebrenica to the execution site of the Branjevo Farm in Pilica, as well as locations related to the actions of the 10th Sabotage Detachment." (See, Report of ICE agent Thomas Carroll, attached hereto as Attachment A).

2. Agent Carroll's report, Attachment A hereto, describes what is depicted in these photographs.

3. There will be no evidence linking defendant to most of these locations.

4. The use of these photographs will be time consuming and

will distract the jury from the matters that are at issue in this case. The photographs, all taken in 2005, are largely irrelevant.

Respectfully submitted,

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Dated: June 12, 2006

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